

20760. Adulteration and misbranding of canned mackerel. U. S. v. 58 Cases * * *
(and 1 other seizure action). (F. D. C. Nos. 35033, 35034. Sample Nos. 59088-L, 59738-L.)

LIBELS FILED: May 11, 1953, Middle District of Georgia.

ALLEGED SHIPMENT: On or about November 13 and December 11 and 29, 1952, by French Sardine Co., Inc., from Terminal Island, Calif.

PRODUCT: 107 cases, each containing 48 15-ounce cans, of mackerel at Athens and Fort Valley, Ga.

LABEL, IN PART: (Can) "Eatwell Brand California Mackerel Water and Salt Added."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), jack mackerel had been substituted in whole or in part for Pacific mackerel, which the article was represented to be.

Misbranding, Section 403 (a), the label statement "Mackerel" and the vignette depicting Pacific mackerel were false and misleading as applied to the article, which was jack mackerel; and, Section 403 (i) (1), the label failed to bear the common or usual name of the article.

DISPOSITION: June 2 and 22, 1953. The French Sardine Co., of California, claimant, having consented to the entry of decrees, judgments of condemnation were entered and the court ordered that the product be released under bond for relabeling under the supervision of the Department of Health, Education, and Welfare.

20761. Adulteration of trout. U. S. v. 500 Pounds * * *. (F. D. C. No. 35036.
Sample No. 65040-L.)

LIBEL FILED: May 13, 1953, District of Minnesota.

ALLEGED SHIPMENT: On or about December 4, 1952, and January 7, 1953, by Shapiro Fisheries, Inc., from Chicago, Ill.

PRODUCT: 500 pounds of trout in 9 boxes at Motley, Minn.

LABEL, IN PART: "Great Slave Lake-Northwest Territories Dr. Trout."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance by reason of the presence of decomposed fish.

DISPOSITION: July 28, 1953. Default decree of destruction.

20762. Adulteration of frozen clams. U. S. v. 40 Boxes, etc. (F. D. C. No. 35025.
Sample Nos. 64233-L, 64234-L, 64236-L, 64237-L.)

LIBEL FILED: May 7, 1953, Western District of Washington.

ALLEGED SHIPMENT: On or about March 31, 1953, by the Kayler-Dahl Fish Co., from Petersburg, Alaska.

PRODUCT: 40 500-pound boxes and 43 50-pound cartons of frozen clams at Seattle, Wash.

NATURE OF CHARGE: Adulteration, Section 402 (a) (1), the article contained a poisonous and deleterious substance, paralytic shellfish toxin, which may have rendered the article injurious to health.

DISPOSITION: June 15, 1953. Default decree of condemnation and destruction.